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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO.: 2:25-cv-14047-DMM

GEM Products, LLC,

Plaintiff,

-vs-

Rupp Marine, Inc.,

Defendant.

DEFENDANT'S
EXHIBIT

H

VIDEOTAPED DEPOSITION OF SCOTT RUPP

CONFIDENTIAL - ATTORNEYS' EYES ONLY

Tuesday, September 9, 2025
9:11 - 4:47 p.m.

525 Okeechobee Boulevard
Suite 900
West Palm Beach, Florida 33401

Reported By:

Wendy Beath Anderson, RDR, CRR, CRC
Notary Public, State of Florida
Job #6957900-001

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2 to 5

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1	APPEARANCES:		1	- - -
2			2	I N D E X
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20	ROBERT DOYLE - VIDEOGRAPHER		23	
21			24	
22			25	
23				
24				
25				
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1 Q. Do you happen to know whether there were any 2 drawings that were sent to any manufacturing parties 3 within the last five years?	1 possess them today? 2 A. If they're hand drawings, I can't say. 3 Q. And if they're computer drawings? 4 A. They'd be buried in there somewhere. I would 5 have to assume they are.
4 A. I would -- I don't know about that. 5 Q. Why not? 6 A. I just -- I don't have a hands-on approach 7 or -- to our purchasing as I once did 20 years ago.	6 Q. Okay. What about with respect to these Rupp 7 carbon fiber pulley upgrades?
8 Q. Have there been changes to this product 9 over -- within the last five years that would have 10 necessitated new drawings?	8 A. Right. 9 Q. Do you happen to know whether this product has 10 gone through any iterations --
11 A. Just those screws. 12 Q. Would you have sent new drawings to anyone -- 13 A. No. For the screws? No, that's -- like I 14 said, that's an off-the-shelf item. 15 Q. A little while ago it seemed to me that you 16 testified that you knew specifically that you had sent 17 drawings, not this specific drawing, but drawings 18 related to the housing to a company called Richland?	11 A. No. 12 Q. -- different than what is depicted here? 13 A. It's no -- no changes to that. 14 Q. Who was on the conceptualization team for this 15 product? 16 MR. LOCKTON: Object to form. 17 THE WITNESS: Several people.
19 A. Right. 20 Q. Do you happen to know, yes or no, whether Rupp 21 still possesses that? 22 A. Would we have sent them recently? 23 Q. I'm asking whether you -- 24 A. No, we would not have. 25 Q. I'm asking whether you know if you still	18 BY MR. PFISTER: 19 Q. Who? 20 A. Well, myself, a couple of CAD designers were 21 working with us. Ron had a hand in that too. 22 Q. Are these types of drawings that are shown on 23 Rupp 2406 and Rupp 2403, are these considered CAD 24 drawings? 25 A. Yeah, I would call them that.
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1 Q. Are you familiar with what CAD is as a 2 computer program? 3 A. Computer -- yeah, I know the program we use, 4 Computer Assisted Design, or whatever it's called. 5 Q. Do you happen to know whether in the CAD 6 application on your computer the drawings that you have 7 resemble the drawings that are shown here on these, Rupp 8 2403 and Rupp 2406? 9 A. Yes, those would probably -- I mean, unless 10 somebody deleted them, they would be there somewhere. 11 Q. Okay. Do you -- or do you provide to your 12 third-party manufacturing partners, do the drawings that 13 you provide them have measurements and specifications 14 for the products? 15 MR. LOCKTON: Object to form. 16 THE WITNESS: Of course. I mean, they've got 17 to have a guideline on how to make them. 18 BY MR. PFISTER: 19 Q. If you wouldn't mind, sir, pulling up 20 Rupp 2403, which I don't remember which exhibit. I 21 think that's ten. 22 A. Right up top here, okay. 23 Q. Could you tell me whether you see on that 24 document measurements for the products or for the parts? 25 A. No.	1 Q. There are no measurements of any kind -- 2 A. I don't see any. 3 Q. If you flip to the next page, Rupp 2404. 4 A. Yes. 5 Q. Could you tell me whether there are any 6 measurements on this document? 7 A. I don't see any. 8 Q. But you stated that you would have had to have 9 sent drawings with measurements to your third-party 10 manufacturing partners? 11 MR. LOCKTON: Object to form. 12 THE WITNESS: Well, sure, at some point in 13 time. 14 BY MR. PFISTER: 15 Q. Do you happen to know whether you still have 16 those drawings with measurements? 17 A. I do not know for sure. Some of these are 18 older parts. If they were older, they would have been 19 hand-drawn. If that's the case, I don't -- I couldn't 20 lay my hands on them. I can't say for sure. Some of 21 these could be a CAD. 22 Q. What about for parts that you would consider 23 newer parts? 24 A. Newer parts we would have probably a -- yes, 25 there would be a drawing for it.

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<p style="text-align: right;">Page 174</p> <p>1 A. I see one.</p> <p>2 Q. What about Rupp 000 --</p> <p>3 A. Are we going to talk a little more about that</p> <p>4 one?</p> <p>5 Q. No, we're moving on.</p> <p>6 A. Why? I would like to. This guy could have</p> <p>7 more than one, I mean, but I guess he chooses not to.</p> <p>8 Why isn't he? He's not taking full advantage of his</p> <p>9 outrigger. He should have at least one more on each of</p> <p>10 these, so...</p> <p>11 Q. Would you say that the outrigging</p> <p>12 configuration --</p> <p>13 A. Again, I'm not a professional fisherman. I</p> <p>14 don't do it for a living.</p> <p>15 Q. Based on what you just said, would you say</p> <p>16 that this rigging configuration is suboptimal?</p> <p>17 MR. LOCKTON: Object to form.</p> <p>18 THE WITNESS: Yeah, that's according to whose</p> <p>19 opinion?</p> <p>20 BY MR. PFISTER:</p> <p>21 Q. Yours.</p> <p>22 A. Not mine. To me that would be perfect. I</p> <p>23 don't -- if I fish, it's probably -- you know, my boat</p> <p>24 by myself, that would be ideal.</p> <p>25 Q. I just asked because of the pejorative</p>	<p style="text-align: right;">Page 175</p> <p>1 testimony you just gave. I just wasn't sure whether or</p> <p>2 not you believed it to be suboptimal or not.</p> <p>3 Let's move on to Rupp 000034. Could you tell</p> <p>4 me on outrigger --</p> <p>5 A. Did we skip 33?</p> <p>6 Q. We did.</p> <p>7 A. All right.</p> <p>8 Q. Trying to be expeditious here.</p> <p>9 In terms of 000034, could you tell me how many</p> <p>10 halyard lines you see on each outrigger pole?</p> <p>11 A. Okay. On there it looks like they're using</p> <p>12 three. They should be color-coded. They're all the</p> <p>13 same if it's a halyard line. Just for, you know,</p> <p>14 drawing perspective.</p> <p>15 Okay. So what do you say? There's three, I</p> <p>16 guess so.</p> <p>17 Q. Is there anything attached to those three</p> <p>18 outrigger -- or excuse me, halyard lines on each</p> <p>19 outrigger?</p> <p>20 A. Yeah, it looks like you got two outrigger</p> <p>21 clips to each rigger, halyard lock, stainless ring with</p> <p>22 a teaser, two hooks on each outrigger, capable of</p> <p>23 catching a fish.</p> <p>24 Q. Is -- when you referenced stainless ring and</p> <p>25 two outrigger clips, are those connected respectively to</p>
<p style="text-align: right;">Page 176</p> <p>1 one halyard line?</p> <p>2 MR. LOCKTON: Object to form.</p> <p>3 THE WITNESS: It could be via this drawing.</p> <p>4 However, you could add multiple to one line.</p> <p>5 BY MR. PFISTER:</p> <p>6 Q. Does this drawing show one connected to each</p> <p>7 halyard line?</p> <p>8 A. By -- it looks like there is.</p> <p>9 Q. All right. Okay. Thank you.</p> <p>10 MR. PFISTER: Lunch?</p> <p>11 MR. LOCKTON: That will work.</p> <p>12 THE WITNESS: Good idea.</p> <p>13 THE VIDEOGRAPHER: We're off the record.</p> <p>14 (A break was had.)</p> <p>15 THE VIDEOGRAPHER: We're back on the record.</p> <p>16 BY MR. PFISTER:</p> <p>17 Q. Okay. Mr. Karpanty -- excuse me. Mr. Rupp,</p> <p>18 thank you for this morning. Hopefully, we can get</p> <p>19 through the afternoon smoothly. I wanted to go back to</p> <p>20 something we were talking about earlier, which was some</p> <p>21 drawings, some CAD drawings, as you referred to them,</p> <p>22 involving the Rupp pulleys.</p> <p>23 How many people did you say work in your</p> <p>24 drawing department?</p> <p>25 A. I would say two, three.</p>	<p style="text-align: right;">Page 177</p> <p>1 Q. Who are those people?</p> <p>2 A. It would be myself, Joe.</p> <p>3 Q. Joe who?</p> <p>4 A. Joe Hardy.</p> <p>5 Q. And who else?</p> <p>6 A. That's probably it. Now, there's some</p> <p>7 deceased people that were handling a lot of our stuff.</p> <p>8 Q. And so you and Mr. Hardy, what do you do in</p> <p>9 the drawing department?</p> <p>10 A. Him more so than I, like I said, when we were</p> <p>11 drawing back in the day, when it was drafting on a</p> <p>12 table, I did myself and my father all of it. When it</p> <p>13 came to 3D modeling a CAD system, I don't know much</p> <p>14 about it. That's why I don't participate in that fully.</p> <p>15 Q. Do you participate --</p> <p>16 A. I can access things, but the file management</p> <p>17 is a little bit out of my scope.</p> <p>18 Q. Whose scope is the file management within?</p> <p>19 A. It would be probably Joe.</p> <p>20 Q. Does he have a written policy regarding file</p> <p>21 management for his design drawings?</p> <p>22 A. No.</p> <p>23 Q. Does Mr. Hardly regularly, to your knowledge,</p> <p>24 catalog drawings based by product?</p> <p>25 A. That I don't know.</p>

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1 Q. Do you happen to know how frequently Mr. Hardy 2 or yourself make drawings for products?	1 BY MR. PFISTER: 2 Q. Did you happen to work with Mr. Hardy during 3 the document collection phase of this case?
3 A. I cannot say. I don't have him working on 4 anything specific at the moment.	4 A. I think I sent him in notes; yeah.
5 Q. Do you ordinarily instruct Mr. Hardy or do you 6 yourself make drawings for any new product that Rupp 7 Marine launches?	5 Q. What kind of notes?
8 MR. LOCKTON: Object to form. 9 THE WITNESS: I don't. No, I do not.	6 A. He'd come in late, I'd leave a note on his 7 desk.
10 BY MR. PFISTER: 11 Q. Does Mr. Hardy?	8 Q. What would it say?
12 MR. LOCKTON: Object to form. 13 THE WITNESS: Typically he would. We have no 14 projects currently in design.	9 A. Oh, looking for this, that. Nothing specific.
15 BY MR. PFISTER: 16 Q. Is Mr. Hardy instructed to save all of the 17 drafts and all of the --	10 Q. Can you give me an example? 11 MR. LOCKTON: Object to form. 12 THE WITNESS: I can't. Nothing specific, I 13 can't.
18 A. Nothing -- 19 MR. LOCKTON: Object to form. 20 THE WITNESS: -- in writing. 21 MR. LOCKTON: Object to form. 22 THE WITNESS: He kind of freelances over there 23 to some degree. Sometimes it's hard to keep him 24 busy.	14 BY MR. PFISTER: 15 Q. You don't recall any specific instructions 16 that you gave to him? 17 A. Not at the moment. 18 Q. Do you happen to know whether anybody else 19 participated in the document collection process? 20 A. Not that I'm aware of. 21 Q. So the only two people that participated in 22 the document collection process were you and Mr. Hardy? 23 MR. LOCKTON: Object to form. 24 THE WITNESS: It depends what document it is, 25 what type of document.
Page 180	Page 181
1 BY MR. PFISTER: 2 Q. Provide me an example. 3 A. No, you need to tell me what type of document. 4 I mean, that's -- like invoices and such like that, I 5 have -- I had no participation in that whatsoever. 6 Q. My question was, did you and Mr. Hardy 7 participate exclusively in the document collection 8 process? 9 MR. LOCKTON: Object to form. 10 THE WITNESS: No.	1 available in CAD form, then he would have produced 2 them. 3 BY MR. PFISTER: 4 Q. Did you instruct Mr. Hardy to produce all 5 relevant CAD design drawing documents? 6 MR. LOCKTON: Object to form. 7 THE WITNESS: That I was aware of. 8 BY MR. PFISTER: 9 Q. So if you were unaware of a document -- 10 A. -- then it would not have probably been 11 retrieved. 12 Q. What about in an instance where a document 13 exists but you were unaware of it, would that document 14 have been subject to the collection policies? 15 MR. LOCKTON: Object to form. 16 THE WITNESS: I'm not sure. If I was not 17 aware of it, I don't know where it would be.
11 BY MR. PFISTER: 12 Q. Who else participated in that process? 13 A. Well, Ron collected some documents as well. 14 Q. Do you happen to know whether -- and by Ron, 15 are you referring to Mr. Karpanty? 16 A. Yes. 17 Q. Do you happen to know whether Mr. Karpanty 18 collected any drawings for Rupp's pulley products? 19 A. Those I would say probably not. I don't know 20 if he had any communication with Joe regarding documents 21 or requested documents. I don't know. 22 Q. So with respect to design documents, that was 23 exclusively you and Mr. Hardy? 24 MR. LOCKTON: Object to form. 25 THE WITNESS: If -- yeah, if they were	18 BY MR. PFISTER: 19 Q. So you're saying that you're aware of the 20 location of all design drawings at Rupp? 21 MR. LOCKTON: Object to form. 22 THE WITNESS: No, I'm saying I don't know 23 where they are. Obviously, there were some that we 24 still have that are relevant. If they weren't 25 produced ten years ago, then they might probably --

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1 they would probably be in the CAD file.	1 collect relevant design documents; is that correct?
2 BY MR. PFISTER:	2 MR. LOCKTON: Object to form.
3 Q. I'm sorry. You said "if they weren't produced	3 THE WITNESS: Yes.
4 ten years ago." What do you mean by that?	4 BY MR. PFISTER:
5 A. Well, if they're an older drawing, as I	5 Q. Did you instruct Mr. Hardy to make his own
6 mentioned, we used to do things by hand and if those --	6 determination on what he believed was relevant?
7 the old drawings, I can't guarantee that there are	7 MR. LOCKTON: Object to form.
8 any -- or there might be some available. There may not	8 THE WITNESS: Probably would be to some
9 be all of them. I don't know.	9 degree, yes.
10 Q. A moment ago you said that the documents that	10 BY MR. PFISTER:
11 were produced are the ones that you're aware of. Is	11 Q. Do you happen to know whether Mr. Hardy
12 that what you said?	12 produced any documents directly to your attorneys in
13 MR. LOCKTON: Object to form.	13 this case?
14 THE WITNESS: I don't recall what I said.	14 A. That I do not know.
15 BY MR. PFISTER:	15 Q. And I believe earlier you testified that you
16 Q. Okay. So was the instruction -- let me ask it	16 produced some documents to your attorneys in this case?
17 a different way.	17 A. I did.
18 Did you collect or did you instruct Mr. Hardy	18 Q. Did Rupp utilize the services of a third-party
19 to collect all responsive documents?	19 document collection vendor?
20 MR. LOCKTON: Object to form.	20 MR. LOCKTON: Object to form.
21 THE WITNESS: I gave him direction for some	21 THE WITNESS: No.
22 and what I guess I -- at the time I thought was	22 BY MR. PFISTER:
23 relevant.	23 Q. Do you happen to know offhand what Mr. Hardy's
24 BY MR. PFISTER:	24 e-mail address is?
25 Q. So you provided Mr. Hardy an instruction to	25 A. Not offhand I don't.
Page 184	Page 185
1 Q. Do you happen to know offhand how long	1 A. I don't know.
2 Mr. Hardy's been employed by Rupp Marine?	2 Q. Okay. When you provided all of the documents
3 A. I'm going to guess it's been six years, maybe	3 to your attorneys, did you state these are all the
4 five.	4 documents we have in our possession?
5 Q. And has his role been consistent the whole	5 MR. LOCKTON: Object to form. Don't answer.
6 time he's been there?	6 Privileged information. If you can answer
7 A. For a period of time he worked as an employee,	7 without --
8 assembled production. He was involved.	8 BY MR. PFISTER:
9 Q. Did you have someone preparing design drawings	9 Q. Right, right. They're absolutely correct.
10 prior to Mr. Hardy's tenure at Rupp Marine?	10 Don't tell me anything they said to you. Don't tell me
11 A. Yes.	11 anything they communicated in terms of what you should
12 Q. Who?	12 or shouldn't do. I simply want to know what you stated.
13 A. The gentleman that passed.	13 MR. LOCKTON: Yeah, don't answer that.
14 Q. Did that gentleman prepare any CAD drawings?	14 MR. PFISTER: He can answer what he said.
15 A. For I, yeah, possibly.	15 MR. LOCKTON: No. You don't have to answer
16 Q. Has Rupp Marine utilized the same computer	16 that, and I'm instructing you not to answer that to
17 system since 2015?	17 the extent you're telling us responsive information
18 MR. LOCKTON: Object to form.	18 for this case for the purpose of this case.
19 THE WITNESS: That I'm not sure of.	19 MR. PFISTER: Okay. So you're instructing the
20 BY MR. PFISTER:	20 witness not to answer the question of whether he
21 Q. Let me ask a different way. Is it possible	21 stated that he's produced all responsive documents;
22 for Rupp to have stored on its computer files that date	22 is that correct?
23 back to 2015?	23 MR. LOCKTON: I'm instructing the witness not
24 A. That I'm not sure of.	24 to answer what he told us in the context of his
25 Q. You don't know or --	25 attorney-client privilege; yes.

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<p style="text-align: right;">Page 186</p> <p>1 MR. PFISTER: I would like to know if that's 2 specific to whether or not you're instructing the 3 witness to refrain from stating on that basis, that 4 he peruse all responsive documents.</p> <p>5 MR. LOCKTON: Don't answer any question about 6 what your communication was to us.</p> <p>7 Yes, if you want to ask him a different 8 question that's not about communications, you're 9 more than welcome to.</p> <p>10 BY MR. PFISTER:</p> <p>11 Q. Do you believe that you produced all 12 responsive documents that relate to design drawings in 13 this case?</p> <p>14 A. To my knowledge.</p> <p>15 Q. Do you believe that there is documents that 16 are housed on Rupp's system that pertain to design 17 drawings of the accused products, the pully clusters in 18 this case, that were not produced?</p> <p>19 MR. LOCKTON: Object to form.</p> <p>20 THE WITNESS: I do not know.</p> <p>21 BY MR. PFISTER:</p> <p>22 Q. You don't know?</p> <p>23 A. I don't know.</p> <p>24 Q. Is it possible?</p> <p>25 A. I don't know.</p>	<p style="text-align: right;">Page 187</p> <p>1 Q. Do you happen to know offhand whether there 2 are documents saved on Rupp's computer system that are 3 different than the design drawings that we were looking 4 at previously?</p> <p>5 MR. LOCKTON: Object to form.</p> <p>6 THE WITNESS: I do not know.</p> <p>7 BY MR. PFISTER:</p> <p>8 Q. Is it possible?</p> <p>9 A. I don't know.</p> <p>10 Q. Does Rupp utilize any 3D modeling?</p> <p>11 MR. LOCKTON: Object to form.</p> <p>12 THE WITNESS: I believe so.</p> <p>13 BY MR. PFISTER:</p> <p>14 Q. Is that modeling part of a computer program?</p> <p>15 A. I believe so.</p> <p>16 Q. Is that computer program the same computer 17 program that generates the drawings that we were 18 referencing earlier?</p> <p>19 A. I don't know.</p> <p>20 Q. You don't know?</p> <p>21 A. No.</p> <p>22 Q. Does the -- do you know whether or not those 23 files that are part of that 3D modeling are saved to 24 Rupp's system?</p> <p>25 A. I would guess they are.</p>
<p style="text-align: right;">Page 188</p> <p>1 Q. Do you happen to know whether or not those 3D 2 model files are delivered to any of Rupp's third-party 3 manufacturing partners?</p> <p>4 MR. LOCKTON: Object to form.</p> <p>5 THE WITNESS: I do not know.</p> <p>6 BY MR. PFISTER:</p> <p>7 Q. Is it possible?</p> <p>8 A. I don't know.</p> <p>9 Q. Have you ever delivered a 3D model file to a 10 manufacturing partner of Rupp Marine?</p> <p>11 MR. LOCKTON: Object to form.</p> <p>12 THE WITNESS: Me personally, no.</p> <p>13 BY MR. PFISTER:</p> <p>14 Q. Has Tom Hardy, to your knowledge, ever 15 delivered a 3D manufacturing file to a third-party 16 manufacturer of Rupp Marine?</p> <p>17 MR. LOCKTON: Object to form.</p> <p>18 THE WITNESS: Possibly.</p> <p>19 BY MR. PFISTER:</p> <p>20 Q. I am going to hand you Plaintiff's 16. This 21 is Rupp 003399.</p> <p>22 (Plaintiff's Exhibit No. 16 was marked for 23 ID.)</p> <p>24 BY MR. PFISTER:</p> <p>25 Q. Mr. Rupp, can you tell me what you see in this</p>	<p style="text-align: right;">Page 189</p> <p>1 photo?</p> <p>2 MR. LOCKTON: Object to form.</p> <p>3 THE WITNESS: It's a boat show display.</p> <p>4 BY MR. PFISTER:</p> <p>5 Q. Are there any specifics about whose boat show 6 display you can identify?</p> <p>7 A. I clearly see our logo.</p> <p>8 Q. Do you happen to know if this was a boat show 9 that Rupp Marine was actually participating in?</p> <p>10 MR. LOCKTON: Object to form.</p> <p>11 THE WITNESS: I see our display.</p> <p>12 BY MR. PFISTER:</p> <p>13 Q. So it's safe to say this is a Rupp Marine 14 display at a boat show?</p> <p>15 A. I would say it is.</p> <p>16 Q. Do you happen to know when this boat show took 17 place?</p> <p>18 A. Not at all.</p> <p>19 Q. You have no idea?</p> <p>20 A. No idea.</p> <p>21 Q. And there's nothing that's in the photograph 22 that may jog your memory?</p> <p>23 A. Nothing.</p> <p>24 Q. Okay. So it's entirely possible that this 25 could have been last year's boat show?</p>